

pending claims, as amended, are allowable and re-consideration of the rejection of these claims is earnestly solicited.

The Objections to the Drawings Have Been Overcome

The Examiner objected to the drawings on the grounds that the section line III-III, which is shown in Figure 10 and which forms the reference for the cross-section shown in Figure 3, should be denoted in Figure 9. Applicants respectfully submit that the section line III-III is correct as shown. Figure 3 is a transverse view of the tampon preform. Accordingly, the section line that forms the basis for such a view must be indicated in a longitudinal cross-section, such as Figure 10, rather than another transverse view such as that shown in Figure 9. A cross-section line in Figure 9 would form the basis for only a longitudinal cross-section.

With respect to the objection to the drawings on the grounds that they did not show an apparatus in which the "press cutters have pressing faces of differing form," as recited in claim 13, this claim has been cancelled, thereby rendering this objection moot.

The Objections and Rejections Under §112 Have Been Overcome

The Examiner objected to the specification and rejected claims 1-20 under 35 U.S.C. § 112, first paragraph, on a number of grounds, all of which have been overcome by the foregoing amendments, as explained in detail below. The Examiner indicated that claims 1-19, as best understood, were patentable over the prior art and would be allowable if amended to overcome the rejections under 35 U.S.C. § 112. Accordingly, Applicants respectfully submit that claims 1-19, as amended, as well as new claims 21 and 22 that depend from claims 1 and 6, respectively, are in condition for allowance.

In the remarks below, the paragraph numbers refer to the item numbers denoted in paragraph 3 of the Office Action.

1) In claim 2 and at page 1, lines 36-37, the weight of the tampon was specified as being "without the recovery tape." The Examiner stated that it was unclear what the recovery tape is. Applicants respectfully submit that the term "recovery tape" was intended to refer to the commonly used extension to the tampon, perhaps better characterized as a "string," that facilitates the grasping of the inserted tampon when it is to be removed from the body. The weight of the tampon for purposes of illustrating its absorption capacity is specified as being measured without this recovery tape since it does not form the absorbent portion of the tampon. Although Applicants believe that the intended meaning was clear as originally written, in deference to the Examiner's concerns, the specification at pages 1 and 5, and claim 2 have been amended to delete the reference to the recovery tape and instead refer to the weight of the absorbent portion of the tampon.

2) The sentence bridging pages 1 and 2 has been amended to read: "The absorption capacity of such a tampon at a static counterpressure of 20 mbars is 11.3 ml." This corrected version is supported by the data shown in the table on page 5 of the application.

3) The Examiner rejected claim 4 on the grounds that the specification did not support the use of the term "about" in referring to the absorption capacity and the specific absorption capacity. Since the teachings of the specification are clearly not limited to a tampon having an absorption capacity and a specific absorption capacity of precisely the values that are shown as having been achieved in the preferred embodiment of the invention described in the specification, Applicants assume that the Examiner's concern was directed toward claim limitations referring to performance greater than that achieved by the tampon

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disclosed in the specification. Clearly, one of skill in the art could apply the teachings of the current invention to a lesser extent than that disclosed as being preferred in order to achieve a tampon having lesser performance.

Accordingly, claim 2 has been amended to recite that "the absorbent portion of the tampon has a weight of no more than 2.4 g and has a specific absorption capacity of at least 4.8 ml/g at an absorption rate of at least 1.9 ml/s," claim 3 has been amended to recite that "the absorption capacity is at least 11.3 ml at a static counterpressure of 20 mbars," and claim 4 has been amended to recite that "at a pulsating counterpressure of 20 to 110 mbars, the absorption capacity of the tampon is at least 8.0 ml and the specific absorption capacity is at least 3.4 ml/g," thereby overcoming the Examiner's concerns.

4) The specification has been amended to include appropriate subtitles.

5) The description of Figure 3 on page 3 has been amended to refer to the cross-sectional line as being shown in Figure 10. As discussed in the section on drawing objections, above, Figure 10 is the appropriate figure for denoting the sectional line for Figure 3.

6) The specification, on page 4, line 12, has been amended as the Examiner suggested.

7) The specification, on page 8, lines 5-9, has been amended as the Examiner suggested.

8) The specification has been amended on page 8, line 32, to page 8a, line 2, so as to state:

In contrast to Figs. 6 and 7, Figs. 8 and 9 show a synchronous closing movement of the press segments 22 and sliding plates 24 in the radial direction. Fig. 8 shows an intermediate phase of this closing movement of the dies, whilst the final closing position of these press dies is shown in Fig. 9. The position shown in Fig. 9 corresponds to the final dimension of the preform 15.

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This clarification is fully supported by Figures 8 and 9.

9) The specification, at page 9, has been amended to recite that the forming die has an entry orifice diameter of 20 mm and an exit orifice diameter of 13 mm, thereby rendering the description of the invention commensurate with that claimed in claim 16.

10) With respect to the inconsistency between Figs. 2 and 4, Applicants respectfully submit that the invention can be practiced so as to form ribs 17 that are only slightly separated, as shown in Figure 2, or touching, as shown in Figure 4. Accordingly, the specification has been amended in describing Figures 2 and 4 in the Brief Description of the Drawings on page 3, and in introducing Figure 4 at page 7, to make it clear that Figures 2 and 4 represent two embodiments of the invention, one with ribs that are slightly separated and one with ribs that touch.

With respect to the statement in the specification that the surface of the tampon is "essentially smooth," Applicants respectfully submit that this term is used in a relative way. The surface of the finished tampon, as shown in Figure 4, is relatively smooth compared to the surface formed by the widely spaced ribs 17 of the preform 15 prior to its passing through the forming die 29, as shown in Figure 3. However, in deference to the Examiner's concerns, the references to "smooth" in the claims (i.e., claims 1 and 6) have been deleted.

Lastly, the claims have been amended to correct the improper syntax to which the Examiner objected.

Claim 20, As Amended, Is Patentable

The Examiner rejected claim 20 under 35 U.S.C. § 102(b) as being anticipated by Hirschman. Hirschman discloses a feminine pad having longitudinal flutings 16. As discussed at column 3, line 50, et seq., of Hirschman the flutings are formed

by impinging fingers 30 onto the surface of a cylindrical strand 28 so that the fingers penetrate the strand about 1/8 inch, thereby compressing the contacted areas. However, claim 20, as amended, recites a tampon having "at least six longitudinal ribs extending from the core, ... the ribs are less compressed relative to the core and have a coarser fibre structure, ... the ribs having been subjected to a radially inward compression less than that applied to form the core so that the distal ends of the ribs are softer than the core."

As can be readily appreciated, the structure of the tampon according to the current invention provides the improved stability and buckling strength associated with a compressed core and, unlike Hirschman, provides the improved comfort associated with softened ribs, obtained by applying a lesser compressive force to the distal ends of the ribs than was applied to form the core. Hirschman provides no teaching or suggestion of a tampon having a compressed core formed by applying a compressive force to a blank and having longitudinal ribs that have been softened by the application of a lesser compressive force. Accordingly, Applicants respectfully submit that claim 20, as amended, is allowable over the art of record.

Applicants believe that the foregoing comprises a full and complete response to the Office Action of record. Accordingly, favorable reconsideration and subsequent allowance



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of the pending claims, as amended, is earnestly solicited.

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